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LETTER DATED 17 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to transmit its strong condemnation of the attitude of the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija, the autonomous Province of the Yugoslav constituent Republic of Serbia, of continuous breach of the Charter of the United Nations, international law, Security Council resolution 1244 (1999) of 10 June 1999 and the constitutions and the laws of the Federal Republic of Yugoslavia and the Republic of Serbia.

The Federal Republic of Yugoslavia has warned of the attitude of the Special Representative on many occasions. It pointed to his systematic recourse to the policy of fait accompli and outright cooperation with ethnic Albanian terrorist separatists in Kosovo and Metohija in their practice of the ethnic cleansing and genocide of Serbs, Roma, Muslims, Gorani, Turks and non-Albanians in general.

Violating the constitutional system of the Federal Republic of Yugoslavia and the Republic of Serbia, Security Council resolution 1244 (1999) and the basic norms of international law, the Special Representative has arbitrarily and without authority issued permits to foreign States to open representative offices in Kosovo and Metohija. In doing so, he ignores the irrefutable fact that representative offices of foreign States or international organizations in territories of sovereign States can be opened only with prior consent and approval by States concerned, never without them.

The most recent act of the Special Representative, the establishment of a joint Administrative Council as an executive organ of sorts, constitutes a flagrant violation of Security Council resolution 1244 (1999) which empowers the United Nations Interim Administration in Kosovo (UNMIK) to act as a transitional authority pending the establishment of legal authorities following an election, i.e., until a political solution is achieved. The Special Representative is not authorized to transfer the mandate of UNMIK, the exercise of which is his responsibility, to anybody else, least of all to terrorists such as Hashim Thaci and his acolytes. By his act, the Special Representative has seriously dented the reputation and authority of the Security Council and the Secretary-General

of the United Nations, using them as a smokescreen in his drive to affirm and legalize the power of ethnic Albanian terrorist separatists in Kosovo and Metohija.

Considering the contention of the Special Representative that, in his capacity as Special Representative of the Secretary-General of the United Nations, he takes decisions in consultation with authorities super-ordinated to him, the Federal Republic of Yugoslavia would appreciate being advised whether the Special Representative has the agreement of the Secretary-General and the Security Council for his acts.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.